

<b>United States Bankruptcy Court</b> <b>EASTERN DISTRICT OF TEXAS</b> <b>SHERMAN DIVISION</b>				<b>Voluntary Petition</b>	
Name of Debtor (if individual, enter Last, First, Middle): <b>Estella's in Garland, LLC</b>			Name of Joint Debtor (Spouse) (Last, First, Middle):		
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): <b>dba Matt's Rancho Martinez Mexican Food</b>			All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):		
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): <b>27-3390271</b>			Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all):		
Street Address of Debtor (No. and Street, City, and State): <b>5085 N. President George Bush Freeway</b> <b>Garland, TX</b>			Street Address of Joint Debtor (No. and Street, City, and State):		
ZIP CODE <b>75040</b>			ZIP CODE		
County of Residence or of the Principal Place of Business: <b>Dallas</b>			County of Residence or of the Principal Place of Business:		
Mailing Address of Debtor (if different from street address): <b>508 N. Central</b> <b>Dallas, TX</b>			Mailing Address of Joint Debtor (if different from street address):		
ZIP CODE <b>75080</b>			ZIP CODE		
Location of Principal Assets of Business Debtor (if different from street address above):					
ZIP CODE					
<b>Type of Debtor</b> (Form of Organization) (Check one box.)  <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)		<b>Nature of Business</b> (Check one box.)  <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other		<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box.)  <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13  <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding	
<b>Chapter 15 Debtors</b> Country of debtor's center of main interests:  Each country in which a foreign proceeding by, regarding, or against debtor is pending:		<b>Tax-Exempt Entity</b> (Check box, if applicable.)  <input type="checkbox"/> Debtor is a tax-exempt organization under title 26 of the United States Code (the Internal Revenue Code).		<b>Nature of Debts</b> (Check one box.)  <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.	
<b>Filing Fee</b> (Check one box.)  <input checked="" type="checkbox"/> Full Filing Fee attached.  <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.  <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.			<b>Check one box: Chapter 11 Debtors</b> <input type="checkbox"/> Debtor is a small business debtor as defined by 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). <b>Check if:</b> <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,490,925 (amount subject to adjustment on 4/01/16 and every three years thereafter). <b>Check all applicable boxes:</b> <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).		
<b>Statistical/Administrative Information</b> <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.					THIS SPACE IS FOR COURT USE ONLY
Estimated Number of Creditors <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> Over 100,000					
Estimated Assets <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input checked="" type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion					
Estimated Liabilities <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input checked="" type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion					

**Voluntary Petition***(This page must be completed and filed in every case.)*Name of Debtor(s): **Estella's in Garland, LLC****All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet.)

Location Where Filed:

**None**

Case Number:

Date Filed:

Location Where Filed:

Case Number:

Date Filed:

**Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor** (If more than one, attach additional sheet.)

Name of Debtor:

**See attached**

Case Number:

Date Filed:

District:

Relationship:

Judge:

**Exhibit A**

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

☐ Exhibit A is attached and made a part of this petition.**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts.)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to the debtor the notice required by 11 U.S.C. § 342(b).

**X**

Date

**Exhibit C**

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.☒ No.**Exhibit D**

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

☐ Exhibit D, completed and signed by the debtor, is attached and made a part of this petition.

If this is a joint petition:

☐ Exhibit D, also completed and signed by the joint debtor, is attached and made a part of this petition.**Information Regarding the Debtor - Venue**

(Check any applicable box.)

☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.**Certification by a Debtor Who Resides as a Tenant of Residential Property**

(Check all applicable boxes.)

☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

(Name of landlord that obtained judgment)

(Address of landlord)

☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and☐ Debtor has included with this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.☐ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

# **Voluntary Petition**

*(This page must be completed and filed in every case)*

Name of Debtor(s): **Estella's in Garland, LLC**

## **Signatures**

### **Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X** \_\_\_\_\_

**X** \_\_\_\_\_

\_\_\_\_\_  
Telephone Number (If not represented by attorney)

\_\_\_\_\_  
Date

### **Signature of a Foreign Representative**

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.

☐ Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

**X** \_\_\_\_\_

(Signature of Foreign Representative)

\_\_\_\_\_  
(Printed Name of Foreign Representative)

\_\_\_\_\_  
Date

### **Signature of Attorney\***

**X** /s/ Joyce Lindauer  
**Joyce Lindauer** Bar No. **21555700**

**Joyce W. Lindauer Attorney, PLLC**  
**Attorney at Law & Mediator**  
**12720 Hillcrest Road**  
**Suite 625**  
**Dallas, TX 75230**

Phone No. **(972) 503-4033** Fax No. **(972) 503-4034**

1/20/2015

Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

### **Signature of Non-Attorney Bankruptcy Petition Preparer**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

\_\_\_\_\_  
Printed Name and title, if any, of Bankruptcy Petition Preparer

\_\_\_\_\_  
Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social-Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

### **Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**Estella's in Garland, LLC**

**X** /s/ Matt G. Martinez III  
Signature of Authorized Individual

**Matt G. Martinez III**

Printed Name of Authorized Individual

**Member**

Title of Authorized Individual

**1/20/2015**

Date

\_\_\_\_\_  
Address

**X** \_\_\_\_\_

\_\_\_\_\_  
Date

Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual.

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

*A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.*

**RELATED CASES**

Matt's Tex Mex Roanoke, LLC  
Case No. 15-40113

Joaquin & Marco, Inc.  
Case No. 15-40114

Document Page 5 of 11  
**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

IN RE: **Estella's in Garland, LLC**

CASE NO

CHAPTER **11**

**VERIFICATION OF CREDITOR MATRIX**

The above named Debtor hereby verifies that the attached list of creditors is true and correct to the best of his/her knowledge.

Date 1/20/2015

Signature /s/ Matt G. Martinez III  
**Matt G. Martinez III**  
**Member**

Date \_\_\_\_\_

Signature \_\_\_\_\_

Allied Insurance  
P.O. Box 514540  
Los Angeles, CA 90051

American Express  
P.O. Box 650448  
Dallas, TX 75265

ASG Security  
P.O. Box 650837  
Dallas, TX 75265

Atmos Energy  
P.O. Box 790311  
St. Louis, MO 63179

Attorney General of Texas  
Bankruptcy Division  
PO Box 12548  
Austin, TX 78711-2548

Blue Rhino  
P.O. Box 281956  
Atlanta, GA 30384

City of Garland  
P.O. Box 461508  
Garland, TX 75046

Coca-Cola  
P.O. Box 840232  
Dallas, TX 75284

Comptroller of Public Accounts  
Revenue Accounting Division  
Bankruptcy Section  
PO Box 13528  
Austin, TX 78711-0000

Comptroller of Public Accts  
Rev Acctg Div/Bankruptcy Dept  
PO BOX 13528  
Austin, TX 78711

Cozzini Brothers  
350 Howard Avenue  
Des Plaines, IL 60018

Custom Business Solutions, Inc.  
12 Morgan  
Irvine, CA 92618

Dal-Worth Industries, Inc.  
P.O. Box 5504  
Arlington, TX 76005

Direct Source Products  
P.O. Box 270530  
Flower Mound, TX 75027

Direct TV  
P.O. Box 60036  
Los Angeles, CA 90060

Ecolab - Institutional  
P.O. Box 70343  
Chicago, IL 60673

Ecolab Food Safety  
24198 Network Place  
Chicago, IL 60673

Excel Linen  
208 S. Railroad Avenue  
Seagoville, TX 75159

Facilitec  
2300 Cold Springs Road  
Fort Worth, TX 76106

Fintech.net  
7702 Woodland Center Blvd., Suite 50  
Tampa, FL 33614

First Data Global Leasing  
P.O. Box 173845  
Denver, CO 80217

Frymire Services  
P.O. Box 29197  
Dallas, TX 75229

Garland Welding Supply Co. Inc.  
1960 Forest Lane  
Garland, TX 75042

Hagar Restaurant Service LLC  
6200 N.W. 2nd Street  
Oklahoma City, OK 73127

Hardies' Frust & Vegetable Co.  
P.O. Box 610484  
Dallas, TX 75261

Harrison Landscape & Design, LLC  
2745 N. Dallas Parkway, Suite 455  
Plano, TX 75093

Hudson Energy  
P.O. Box 142109  
Irving, TX 75014



ICON Ecological Solutions, LLC  
5432 Bridgeport Road  
McKinney, TX 75071

Internal Revenue Service  
Mail Code DAL-5020  
1100 Commerce Street  
Dallas, Texas 75242

Internal Revenue Service  
Centralized Insolvency  
PO Box 7346  
Philadelphia, PA 19101-7346

KPM Ventures, Ltd.  
119 W. Virginia, Suite 203  
McKinney, TX 75069

La Mexicana Tortilla Factory, Inc.  
715 Skyline Drive  
Duncanville, TX 75116

Ladco Leasing  
7300 Chapman Highway  
Knoxville, TN 37920

Linebarger Goggan Blair & Sampson  
2777 N. Stemmons Freeway  
Suite 1000  
Dallas, TX 75207

Lopez Tortilla Foods Inc.  
9731 Brockbank Drive  
Dallas, TX 75220

Main Street Hub  
600 Congress Avenue, Suite 1200  
Austin, TX 78701

PeopleMatter  
466 King Street  
Charleston, SC 29403

Red Book Solutions  
26433 Network Place  
Chicago, IL 60673

Shelton's Water Refining  
2708 E. Randol Mill Road  
Arlington, TX 76011

Sigels  
2960 Anode Lane  
Dallas, TX 75220

Sophisticated Sound, Inc.  
2340 Superior Drive, Suite E  
Arlington, TX 76013

Swisher Hygiene Franchisee Trust  
P.O. Box 473526  
Charlotte, NC 28247

Texas Workforce Commission  
101 East 15th Street  
Austin, TX 78778-0001

Time Warner Cable  
P.O. Box 60074  
City of Industry, CA 91716

Trinity Chemical Partners  
5435 N. Garland Road, No. 276  
Garland, TX 75040

U. S. Attorney  
110 N. College Ave.  
Suite 700  
Tyler, TX 75702-0204

U. S. Trustee's Office  
110 N. College Street  
Suite 300  
Tyler, TX 75702-7231

U.S. Foods  
P.O. Box 843202  
Dallas, TX 75284

Uncle Bob's  
3222 N. Shiloh Road  
Garland, TX 75044

Wells Fargo Bank  
P.O. Box 1450  
Mineapolis, MN 55485